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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/568,128	02/14/2006	Ryota Odake	09792909-6621	9618

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EXAMINER

WONG, TINA MEI SENG

ART UNIT	PAPER NUMBER
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2874

MAIL DATE	DELIVERY MODE
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09/10/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/568,128	Applicant(s) ODAKE ET AL.	
	Examiner Tina M. Wong	Art Unit 2874	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 February 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2/14/2006</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted by the International Bureau under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

The drawings are objected to because:

Figures 1-4 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S.

Patent Application Publication 2005/0062903 to Cok et al.

In regards to claims 1 and 8, Cok et al teaches a backlight device for illuminating a liquid crystal display panel comprising a light source (20 & 29) arranged with an opening towards in a

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light radiating surface, so that the light source faces the light radiating surface, the light source radiating light towards said light radiating surface, a light transmitting reflecting means (19) arranged so to delimiting a space inclusive of the light source, the light transmitting reflecting means transmitting a fraction of the incident light and for reflecting another fraction of the incident light, and transmitting diffusing means (28) arranged on said light radiating surface for diffusing the light transmitted through the light transmitting reflecting means and for causing surface light radiation. But Cok et al fails to explicitly teach all of the components to be arranged in a casing. However, a casing surrounding the vital components of the device would have been obvious to one of ordinary skill. A casing provides a layer of protection to the components from the exterior environment. Furthermore, it is well known and common for a vertical type laser to be enclosed in a casing. Assuming a casing surrounding the device of Cok et al, it would have further been obvious for the casing would then have at least one inner surface with a reflecting surface for reflecting the incident light. In order to ensure efficiency, reflective surfaces to direct light to the necessary components, instead of a light loss, would be advantageous. That portion of light radiated from the light source would then be internally reflected by the light transmitting reflecting means and the reflecting surface in the space delimited in the casing by the light transmitting reflecting means; the light portion being then transmitted through the light transmitting reflecting means.

In regards to claims 2 and 9, Cok et al teaches a light transmitting reflecting means formed by a light transmitting member transmitting light incident on the light transmitting reflecting means and a plurality of total reflection mirrors (19 & 21) on the light transmitting member for reflecting the incident light by total reflection so that light incident on and

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transmitted through the light transmitting reflecting means bears a preset ratio to the light incident on and reflected by said light transmitting reflecting means.

In regards to claims 3 and 10, Cok et al teaches a light transmitting reflecting means formed by a light transmitting member transmitting the incident light and a plurality of multi-layered dielectric films [0029]. Although Cok et al does not explicitly teach each individual layer of the dielectric film layers, each layer claimed by Applicant are common dielectric film layers and therefore would have been obvious and well known to have been in the dielectric film layers as taught by Cok et al.

In regards to claims 4 and 11, Cok et al teaches light transmitting reflecting means formed by a substrate member and multi-layer dielectric films formed thereon. Although Cok et al does not explicitly teach each individual layer of the dielectric film layers, each layer claimed by Applicant are common dielectric film layers and therefore would have been obvious and well known to have been in the dielectric film layers as taught by Cok et al.

In regards to claims 5 and 12, Cok et al teaches the light source to be a red light emitting diode to emit red, a green light emitting diode to emit green and a blue emitting diode to emit blue.

In regards to claims 6 and 13, Cok et al teaches the light source to emit white light.

In regards to claims 7 and 14, Cok et al teaches the light transmitting reflecting means to be arranged in the casing for delimiting the space by bisecting the inside of the case.

Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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The documents submitted by applicant in the Information Disclosure Statement have been considered and made of record. Note attached copy of form PTO-1449.

Inventorship

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tina M. Wong whose telephone number is (571)272-2352. The examiner can normally be reached on Monday-Friday 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on (571) 272-2344. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tina M Wong/
Primary Examiner, Art Unit 2874